THE Christian Moderator:

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PERSECUTION FOR RELIGION CONDEMNED,

By the { *Light of Nature.* / *Law of God.* / *Evidence of our own Principles.*

The second Edition revised and augmented.

JAMES II. XII.

So speak you and so do, as they that are judged by the law of liberty; for they shall be judged without mercy, that have shewed no mercy.

Mille hominum species, & rerum discolor usus,
—per me equidem sint omnia protinus alba.

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Perſecution for RELIGION *condemned, &c.*

WHen I conſider, how tenderly our Saviour Chriſt recommends the precept of mutual love to all that profeſs his Name, making it the Character of his followers. *By this all men ſhall know, that you are my Diſciples, if you love one another, John* 13.35. And when I reflect how highly the great Apoſtle *Paul* exalts the ſame Commandment, abridging into this one precious ſyllable, the whole duty of a Chriſtian, *All the Law is fulfil'd in one word, Thou ſhalt love thy Neighbour as thy ſelf, Gal.* 5. I cannot ſufficiently wonder, to ſee moſt Chriſtians in this preſent age with fire and ſword perſecute each other, only upon the account of Religion: how are we degenerated from the Primitive Believers, who would rather have given their own lives, to perſwade their enemies to piety, then ſought to take away the lives of their brethren, to force them to hypocriſie?

Yet it hath pleaſed the Lord Chriſt in our days, *upon whom the ends of the world are come*, to infuſe the like tenderneſs into the breſts of many conſcientious and godly minded people of this Nation, (who ſeeing the deformity and unreaſonableneſs of thoſe cruel Maxims, that preach ruine and deſtruction for the leaſt difference in belief) ceaſe not to pray unto the God of Heaven, and ſolicit the Governours of the Earth, that an impartial freedom, and abſolute incoercency in matters of Religion, may be firmly and irrevocably eſtabliſht, for all that profeſſe the Goſpel of Chriſt.

For incouragement of which holy deſign, woven out of the bowels of mercy, and for determent of thoſe tempeſtuous ſpirits, that, with thunder and lightning ſtrive to ſtorm mens conſciences, I have endeavoured in this ſhort diſcourſe to demonſtrate, that Conſcience-perſecution amongſt Chriſtians, is clearly repugnant to the *Light of Nature*, the *Law of God*, and the *evidence of our own Principles*.

Demonſtrative Reaſons againſt forcing of Conſciences.

1. SInce we have ſo happily ſhaken off that intollerable yoak of Popiſh infallibility (*which neither we nor our Fathers were able to bear*) it is become to us not only tyrannical, but abſurd, to compel others to a way, that our ſelves confeſs may poſſibly be erroneous; We ſee one Parliament repeals thoſe Articles of faith which a former enacted; That form of worſhip which the Laws of the laſt age introduced, is now generally exploded; nay, the very laſt Reformation ſetled with ſo ſolemn a Covenant, and carried on with ſo furious a Zeal, is already by better lights diſcovered to be meerly humane, and therefore deſervedly laid aſide. The late Synods Confeſſion of Faith (hatch'd by ſo many years ſitting) is now learnedly examined, and indeed for a great part ſolidly confuted, by Mr. *Walker*, and other learned perſons in Print; How prepoſterous is it then to conſtrain a ſoul, not only to forſake his conſcience, which may be truth, but drive him contrary to his own heart, to a way that may be error?

2. Since the Word of God is the ſole rule of Faith, and no humane Authority ſo highly impowred, as to bind up our aſſents to whatſoever interpretations ſhall

pleaſe to propoſe; it clearly follows, that as all the children of God have equall intereſt in the Teſtament of their Father; ſo no one amongſt them has any right to impoſe a force upon the judgement of his brother: One holds Baptiſm of children to be neceſſary, another eſteems it unlawfull, a third denies both theſe opinions, admitting well that it may, but not that it muſt be done: they conſer Texts, look into Original Tongues, pray inceſſantly to God, and profeſs ſolemnly the ſincerity of their intentions; yet after all their diligences and devotions, ſtedfaſtly remain in their former perſwaſion; Truly for my part, he that ſhould advize perſecution in ſuch a caſe (unleſs his fire brought light too with it, to demonſtrate the truth) would ſcarce ſatisfie my ſuſpition, that his coals were fetcht from the infernal pit.

2. If we reflect upon the difficulties that encounter us in the way to Truth; for *ſtrait is the gate, and narrow is the path*, and withall conſider the ſhortneſs of our ſight, for *here we ſee but in part, and underſtand but in part*: there will appear more reaſon to endeavour the mutual aſſiſtance and ſupport, then malicious ruine and deſtruction one of another: However, ſince all have neither equal depth of naturall judgement, nor the ſame meaſure of ſupernatural illumination, *but the ſpirit bloweth how and where it pleaſeth*, we ought not to attempt ſo high a preſumption, as to deſpiſe or perſecute our brother for his innocent and blameleſs miſtakes, leſt we be found to fight againſt God, who is the free diſpoſer of his gifts; we know *the way of man is not in himſelf*, Jer. 10. 23. but his *ſteps are ruled by the Lord*, Prov. 20. 24. and therefore certainly, did we bear a due reſpect to God, we would be content to wait his leiſure, who has engaged himſelf by his Apoſtle, *Phil.* 3. 15. *If any man be otherwiſe minded, God ſhall in time reveal even this unto him*: let us therefore entertain ſuch an one, who proceeds in the ſimplicity of his heart, with *milk*, till he grow up to digeſt *ſtrong meat*.

3. All compulſion upon the Conſcience, returns us ſtarly to our old ſlavery under the *Prelates*; nay, more to the implicite faith of the *Papiſts*, with this only difference, that we are worſe then either, becauſe our conſciences accuſe us of doing that which wee condemn in others; For whatſoever I am conſtrained to ſweare or profeſs more then I am convinced of, proceeds from as great a tyranny, as the High Commiſſion, and is as blind an aſſent, as can be match'd in the groſſeſt Popery; and dare we *think that doing the ſame things we judge in others, we ſhall eſcape the Judgement of God?* Rom. 2. 3.

4. Force is puniſhment, and conſequently not juſt, unleſs the offence be voluntary, but he that believes according to the evidence of his own reaſon, is neceſſitated to that belief, and to compel him againſt it, were to drive him to renounce the moſt eſſential part of man, his reaſon. Why ſhould we be commanded *to try the ſpirits*, 1 John 4. 1. *to prove all things*, 1 Theſ. 5. 21. if there be not a faculty in the ſoul to judge for her ſelf? why are we enjoyned to *hold faſt that which we find to be beſt*, if after our moſt ſerious and deliberate election, we ſhall be whipt out of our conſcience by penalties? To what purpoſe do we preach poor ſouls into juſt ſo much liberty of Scripture, as may beget their torture, and not permit them to reſt where they finde ſatisfaction; Either prohibit to ſearch at all, or leave us ſenſible of ſome benefit by ſearching; To believe what appears untrue, ſeems to mee impoſſible; to profeſs what we believe untrue, I am ſure is damnable.

5. As it is certain, whoſoever ſwerves from the dictate of his Conſcience, commits a grievous ſin, *Rom.* 14. So without queſtion they that endeavour by force or artifice to draw any man to profeſs or act contrary to what his ſoul believes, are as deep-

deeply guilty of the same crime, *When you wound the weak Consciences of your brethren, you sin against Christ*, 1 Cor. 8.12. How dangerously then do they expose themselves to the just indignation of God, who by Oaths, Imprisonments, Forfeitures, &c. both drive others, and fall themselves into eternal perdition? How desperately do they attempt to extinguish the light of nature, which indispensably obliges all men to deal with others, as they would be dealt with themselves, a light placed by God in clear and candid souls to shine and guide them, but in black ones to condemn and burn them; I shall close this discourse with the advise of the Apostle, *Rom.* 14.13. *Let us therefore use our judgement rather in this, that no man put a stumbling block before his brother.*

2. *Unanswerable Texts of Scripture against coertency in Religion.*

NOr are these so excellent and important truths built only upon the firm foundation of solid Reason, but also upon the infallible authority of evident Scripture, 2 *Tim.* 2.24. &c. *The servant of the Lord must not strive, but be gentle unto all men, apt to teach, forbearing, in meekness instructing those that are contrary minded, if God peradventure will give them repentance, to the acknowledging of the truth, that they may recover themselves out of the snare of the Devil, who are taken captive by him at his will:* And another Apostle forbidding us to condemn one another, saith, (*James* 4.12.) *There is one Law-giver, who is able to save and to destroy: who art thou that judgest another?* and in *Paul* to the *Romans* 14.4. *Who art thou that judgest anothers servant? to his own Master he standeth or falleth, yea he shall be holden up, for God is able to make him stand; one man esteemeth one day above another, annother esteemeth every day alike, let every man be fully perswaded in his own mind; hast thou faith? have it to thy self before God, happy is he that condemneth not himself in that which he alloweth;* that is, whose conscience inwardly accuseth not his outward profession: The same most zealous Preacher of the Gospel returns so condescending and moderate an answer to a case of a far harsher sound then we undertake to maintain, that it sufficiently proves he took his gentle pen from the soft wing of the *Dove*, 1 Cor. 7. 12. &c. *If any brother hath a wife that believeth not, and she be pleased to dwell with him, let him not put her away; and the woman that hath a husband that believeth not, and he be pleased to dwell with her, let her not leave him; but if the unbelieving depart, let him depart; a brother or a sister is not in bondage in such cases, but God hath called us to peace; for what knowest thou, O wife, whether thou shalt save thy husband? and what knowest thou, O man, whether thou shalt save thy wife? as God hath distributed to every man, as the Lord hath called every one, so let him walk, and so ordain I in all Churches.* What can be said more efficaciously to oblige Christians, in charity and meekness to forbear one another, then so express an Injunction of so great an Apostle, to live peaceably even with an Infidel? And again, 2 *Cor.* 1. 24. He denies that even the Apostles themselves have any Soveraignty over the Conscience, but only Commissions to assist the conscientious, *not that we have* (says he to the *Corinthians*) *Dominion over your faith, but are helpers of your joy*; therein exactly observing the orders, which Christ gave to his Apostles, *Go and teach*, not compel, *and if any one receive you not, shake off the dust of your feet*, not trample upon them, as dust under your feet, *Mat.* 10. 14. Constant to which Doctrine of Meekness, our Saviour thus instructs his Disciples, *Mat.* 23.9. *Be not called Rabbi*, (that is, Masters in spiritual matters) *for one is your Master, even Christ, and all you are brethren.* To this belongs the patient forbearing the *tares*, and letting them grow together with the wheat till the time of harvest.

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As also that admirable president of mildness towards the *Samaritans*, who refused to receive even Christ himself; whereupon the Disciples, *James* and *John*, would immediately command fire from heaven to consume them, as in the days of *Elias*, but our merciful Lord rebuked their zeal, with this sweet and tender reply, *You know not what manner of spirit you are of, the Son of man is not come to destroy mens lives, but to save them*, Luke 9. 54. which one example abundantly satisfies all objections drawn from the practise of *Elias*, *Jehu*, the sons of *Levi*, &c. in the old Testament; for as they had an express command from God to warrant their Zeal, we have an express warrant from Christ to command us meekness. If any one shall shuffle in a suspition, that this moderate temper was meant only for the times of persecution, when the Christians had no temporal Power; let him first confesse that those were the best and purest times, and then show a Warrant dormant under our Saviours hand (that is in this Gospel) to Commissionate his Disciples (as soon as they should get the Sword into their hands) to cut the throats of all disobeyers, and I submit; but if they can cite no such authority, let them freely acknowledge that persecution for Conscience is an unwarrantable tyranny over the just priviledges and liberty of a Christian.

3. *Our Principles against constraint upon the Conscience.*

COnsonant to these reasons and clear Texts of Scripture, are the Principles of all the godly and well-affected of this Nation: to begin with them to whom we owe this liberty of discourfing, the unparallel'd Army, in all whose proceedings, and Declarations, (especially since managed by the prodigiously successful hands of the two later Generals) their *Motto* has been *Liberty to all tender and oppressed Consciences*; The glory of which, so dazles the eyes of our enemies, and incourages the hearts of our friends, that notwithstanding whatever other disadvantage, we still find the Author of our Victory mindful of the *Word*, which himself gave to our Army, *The meek shall inherit the Land*; Of which short Texts written in our Ensignes, we may read a clear and perfect Commentary in the Propolals of the same still triumphing Army, *Aug.* 1. 1647. when penetrating exactly into the true state of the Question, they prudently distinguish between quiet exercisers of their Consciences, and active prejudicers of the Common-wealth, and thereupon offer their earnest desires, *That all coercive Power, and all civil Penalties for non-conformity, be wholly repealed, and some other Provision made against such Papists, as should disturb the publick peace.*

Many and wonderful are the deliverances which our good God has dispensed to his servants, in reward of this their inclination to mercifulness, yet amongst all the glorious appearances, and out-goings of the Lord for his people, none can be found more eminent, then the renowned victories over those rigid and severe Kirk-Armies of the *Scots*, upon the doubly memorable 3d. day of *Sept.* 1650, and 1651. who declining the mild counsel of our Saviour, *to possess their souls with patience*, deservedly lost their lives by violence; a fatal argument, deciding manifestly this very controversie in favour of meekness, where the maintainers of compulsion were no less ingeniously then cruelly confuted, whilst assuming to themselves a Power to force our souls, they could not so much as defend their own bodies.

In memory of the first of which great salvations from the pride and fury of the *Presbyterian Priesthood*, the Parliament, as a new covenant of Thanksgiving for so seasonable a mercy, in the same first moneth enacted an abolishment of divers rigorous and

and penal Statutes, contrived on purpose by the haughty Prelates, to break the hearts of those, whose consciences they could not bend; Which one Act has won more hearts to acknowledge and love the authority of the Parliament, then all their stupendious victories have forced bodies to confess and fear their Power; and (if it be not check'd by limitations and partiality in the execution) will render them absolute Masters of all that understand their own felicity: for what can be imagined more welcom to a Christian people newly delivered from an Antichristian bondage, then to see themselves infranchised into a holy Liberty of proceeding sincerely, according to their consciences in the Worship of their God?

Wherefore as we are full of joy for so excellent an Act, by which (as the Apostle saith) *we are called unto Liberty*, so we are full of hopes to be perfectly happy, by the free and universal observation thereof, without the least self-interest or respect of persons, being so conformable to the constant received Maxims and solemn deliberate profession of the Parliament, as appears by the *Declaration* of the *Lords* and *Commons*, in answer to the Scotch papers, 4 *Mar.* 1647. where *fol.* 43. *the Discipline of Ecclesiastical Censures, and all other punishments for matters of Religion are disclaimed, as grounded upon Popish and Prelatical Principles, not to be revived under any image or shape whatsoever:* And a little after, *fol.* 63. they proceed in the same sense, *We shall not be afraid at the day of Judgement, that we have been more forward to set Christ at liberty, then to cast him in prison, it being better in our opinion (where the case is not very clear) to leave God to deal against many errours, then to use his authority for the suppressing of one truth; the weapons of fasting and prayer, being both more Christian, and more available in such cases, then those of force and violence:* And yet more fully (if possible) in another *Declaration* in answer to the letters of the *Scotch Commissioners. Feb.* 17. 1648. *As for the truth and power of Religion, it being a thing intrinsecal between God and the soul, and the matters of faith in the Gospel being such as no natural light doth reach unto, we conceive there is no humane power of coertion thereunto, nor to restrain men from believing what God suffers their judgements to be perswaded of.* Words of that solid weight and precious value, as deserve to be ingraven with letters of gold, and religiously observed for ever by all tender consciences, as an Oracle.

Conformable to the aforesaid Principles, is that excellent Doctrine and advise set down by Mr. *Parker* and his Brethren, in their *Examen of the late Synods Confession of Faith*, in these words, *pag.* 128. *Liberty of Conscience may be infringed, first, by seeking by violent means to alter conscientious mens judgements, and their present perswasion; for it is the office of him who is the Lord of Conscience*, to lighten and change mens minds, when and how he pleaseth, *Phil.* 3. 15. *Let us therefore as many as be perfect, be thus minded, and if in any thing you be otherwise minded, God shall reveal this unto you.*

2. *By inciting another by like forcible means, to will and act against his Conscience, and much more by imprisonment, mulcts, terrors or threats*, Rom. 14. 15. 20, 21. *For this is to make him destroy his soul*, ver. 20. 23.

3. And in page 230. thus, *We would not have you assume to your selves, or attribute unto others, a Power to Lord it over mens Faith and Consciences, especially when men walk obediently towards those that are in places of Rule and Authority, and live a godly, sober, honest, peaceable, and unblameable life. If men will do wickedly, and defend a Liberty in Christ so to do, let them be liable to the Sword of Justice for so doing: But far be it from us, so much as by example to draw a weak brother, a Saint and fellow-servant of the Lord, whom no man can accuse, but for his differing judgement, to do any thing against Conscience, whereby he should condemn himself, as the Apostle speaks*, Rom. 14. *How much more ought Governours to be tender and abstemious in the use of violent and coercive means, to precipitate*

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men into ſuch perillous and deſtructive courſes. All authority is given of God for mens welfare, and much more for the preſervation, and not the deſtruction of the ſoul.

And we may well believe that the religious and valiant Major Gen. *Harriſon*, aims at the ſame mark, when (in his Letter to the Speaker, dated the 7. day of the 7. month, 1651,) he ſays thus, *The Lord grant the Parliament may relieve the oppreſſed, and open a wide door to the publiſhing of the everlaſting Goſpel of our onely Lord and Saviour, &c.*

By theſe conſiderations (I conceive) is clearly demonſtrated the freedome of a Chriſtian ſoul in her commerce for heaven, which ſince the merciful bounty of God holds forth indifferently to all, the cruel coveteouſneſs of man ought not to obſtruct to any; ſurely it is the worſt of *Monopolies*, to lay Impoſitions upon the way to Paradiſe. Chriſt by his death, removed the Angel that chaſed from thence our firſt parents; and ſhall any of us take the Flaming Sword into our hands, to ſheath it in the bowels of a poor Pilgrim, who with a ſincere heart travails to the ſame Country, only becauſe he goes not in our company? In my *Fathers houſe are many Manſions*, ſays Chriſt; why may there not be as many paths that lead to them? If *they that have no law, ſhall be judged without the law*, certainly they that unblameably miſtake the Law, ſhall be tried according to thoſe Expoſitions which appeared unto them, to be the meaning of the Law-giver, (for the ſenſe is the Law, and not the letter) ſpecially having ſo gracious a Judge, who has already declared by his Apoſtle, 2 Cor. 8. *If there be firſt a willing mind, it is accepted according to what a man hath, and not according to what a man hath not.*

Wherefore let us not by a ſudden violence break into pieces the conſciences of our brethren, but mildly thaw them into a cordial and ingenuous unity, that righteouſneſs and peace may flow together in the ſame channel, and not as broken ice daſh one againſt another: let us patiently expect, till the Lord be pleaſed to take off the vail from their hearts that are otherwiſe minded, and not by forcing their judgements, add to their vail of ignorance, a worſer of hypocriſie, it being now a common experiment, that generally the iſſue of compulſionary and forced conformity cloſes in this, to make ſome few counterfeit *Proteſtants*, and a great many real *Atheiſts*.

Whence it is clearly concluded, that the onely true means of winning ſouls to God, is the Goſpellary way of meekneſs and perſwaſion; and indeed it may worthily be eſteemed the prime miracle of *Chriſtianity*, that a perſon ſo humble as our *Saviour* appeared, without the aſſiſtance of Kings and Princes, without the inchanting words of mans wiſdom, without the affrighting threats of Fines, Sequeſtrations, Impriſonments, and deaths, (though all theſe were abſolutely ſubject to his pleaſure,) ſhould conquer Powers and Principalities, ſhould out-charm the Magick of humane eloquence, and by the admirable ſucceſs of his mildneſs, condemn all thoſe politique Religions, that confeſs their own crazineſs, by uſing cruelty to ſupport them; whereas to reduce the diſobedient only with the ſpirit of gentleneſs, and admonition, or at moſt deſertion, argues indeed a Divinity in the Author, and a Purity in the Ordinance: and here we may fitly apply the words of our Lord, John 14. *If it had been otherwiſe, I would have told you*; If the way of planting my faith had been by impoſing penalties on the hearers, and not rather by expoſing the Preachers thereof to dangers, I would have told you: If the means of preſerving Religion had been by watring it with the blood of refuſers to embrace it, rather then of thoſe that ſought to propagate it, I would have told you either by my example (all the world being in the power of my Deity) or by my

Doctrine

Doctrine, all justifiable proceedings concerning the government of my Flock, being derived from the Warrant of my Word.

Thus we see our gracious Law-maker, faithful and constant to his Principles, *The Son of man came not to destroy mens lives, but to save them*: Thus we see our own duty to learn of him; *for he is meek and humble of heart; let us not therefore judge one another any more, but use our judgement rather in this, that no man put an occasion to fall, or a stumbling block before his brother*, Rom. 14.13. Let us always remember the advertisement, which the beloved Disciple gives to all his fellow-servants of the Lord Christ, John 13.16. *The servant is not greater then his Lord, if you know these things, happy are you if you do them.*

Of tender Consciences.

THese few unpolisht *lines*, which I here present for encouragement of tenderness, I desire may not be *stretcht* to draw in a wild and extravagant licentiousness, since they aim no farther then to *hold up* a Liberty to such only as profess Christ, and walk before the Lord in the integrity of their heart, who by the following marks are easily discernable from all those that for their blasphemies in Doctrines, and debauchery in manners, are worthily excluded from the benefit of this indulgence.

Supposing first, as confest by all understanding men, that tenderness of Conscience is not the same thing with truth of judgement, (else there could be but one only kind, because truth is but one) but it signifies a proceeding *bonâ fide*, without sinister respects, or dissimulation, seeking before all things to know God, and fearing above all things to offend him. And secondly, since in our enquiry, to whom belongs so honorable a title, we cannot pierce into the inward thoughts of men, we must give sentence as they appear to us, which rule in cases of this quality, is in it self sufficiently certain; however, 'tis the only means God has allowed our nature to guide her resolutions in the judging of others.

The signs then of tender Consciences are these, if they lead regular, vertuous, and peaceable lives; If their opinions be not justly accusable of self-interest or licentiousness, but rather require of them a prudent and religious severity against the inclinations of corrupted nature; If their judgements be steddy, not fann'd to a new sense with every breath of wind; If they continue in the same perswasions at their death, which is no time for dissembling, at least we ought to judge so; If they not only die in their faith, but for it, not only give away good part of their estates charitably, but suffer all to be taken away patiently, and all this for Christs sake, or (to speak more closely) for that which they believe to be his will and commandment: no higher testimony of a true and real sincerity, can possibly be given, or easily imagined; And whosoever doubts after such evidence, (chiefly if many concur in the same way) deserves to be condemned, as the most passionate, malicious, and uncharitable person in the world; for though one man may value his fancy above his life or estate, yet it is impossible, that many (especially if they be discreet and rational in other negotiations) should agree to undo themselves for a meer conceit; did they not seriously believe, it more imports them to keep their Faith, then lose their fortunes.

By these rules we may easily conclude the admission of those pious and religious persons, who were imprisoned and persecuted by the late Prelates, into the number of tender Consciences, as also those precious servants of the Lord, who

by a voluntary baniſhment, left their friends and Countrey to plant the liberty of the Goſpel amongſt the ſavage Heathens of *America*.

Whilſt I was finiſhing theſe lines, a worthy friend of mine came to honour me with the civility of a viſit, to whom reading theſe laſt two or three conſiderations, he told me, that as he believed, the Characters I had given of a *tender Conſcience*, were moſt evidently true, and to all unbiaſſed minds perfectly ſatisfactory, yet they were appliable to a ſort of people in this Nation, whoſe being diſcountenanced, is thought ſo profitable to the State, and ſo pleaſing to a certain froward part of the Miniſtery, that he feared my reaſons might incounter ſome oppoſition, unleſs they met with very ingenuous and diſintereſſed Readers, plainly telling me, that the meaſures I had cut out for tender Conſciences, would fit the *Papiſts*, as well as if they had been made for them; For who live more peaceably with their neighbours, (ſays he) who deal more juſtly with all men then they? who are more conſtant in their Religion, & more ſcrupulous in the obſervances of their Law, then they? who ſuffer for their faith, more then they; nay, at this time, who beſides them? they ſubmit their underſtandings to the definitions of their Church, and their wills to the obedience of it's Diſcipline, in Faſting, Confeſſion, and many other burdenſome duties, all which, are very diſagreeable to the Dictates of fleſh and bloud, as containing the reall practiſe of the higheſt ſelf-denial that can bee imagined: and for the ſerious hour of death, I muſt confeſs, I have known many of us turn Papiſts upon our death-bed, but never in all my life ſo much as once the contrary; And to ſpeak ingenuouſly, I have often obſerved, that they who go from us to them, ſeem (which you make the only Judge) more ſpiritual, retired, and devout, then before they left us, whereas of the Papiſts that become Proteſtants (beſides the worldly deſigns they may eaſily be thought to have) moſt commonly they grow more licentious, both in Faith and manners, eſpecially the Prieſts, who ſeldome or never are converted, if once paſt the age of marrying.

I, who had always believed the puniſhments laid upon them, were reducible to civil crimes, though defended by them as Points of Religion, reſolved to follow thoſe ſo certain and evident Principles, which I had already framed (for diſcerning of tender Conſciences) whitherſoever they ſhould lead me; and therefore deſired my friend to bring me to the knowledge of ſome moderate and diſcreet Papiſt, that I might examine their tenents, not doubting their eaſie excluſion from the priviledges of tender Conſciences; this my friend immediately did, recommending one to me, a morally honeſt and underſtanding man, though (ſays he) a little abuſed in his Religion, and a great deal for it; After we had met, and agreed to diſcourſe with all freedom, the *Recuſant* began with a ſhort ſtory of the preſent ſufferings of *Papiſts*; whereof (he ſaid) *Some are ſequeſtred for Delinquency, and thoſe of all Cavaliers* (cæteris paribus) *the moſt ſeverely, though of all the moſt excuſable, becauſe wholly depending upon the pleaſure of the late King, and infinitely obliged to his Royal Lenity, noting it as an unanſwerable argument of their fidelity and gratitude towards ſuch as deal with them in mercy, as alſo that their declining to receive the Oaths of Supremacy and Allegiance, for which they have heretofore been ſo violently perſecuted, proceeded not from any averſion to civil obedience, but becauſe there were mingled in thoſe Oaths certain expreſſions of a pure ſpiritual nature, repugnant to their Conſciences; and altogether unneceſſary to the common ſecurity.*

Others are equally puniſhed, that is, their whole eſtates ſequeſtred, allowing only a fifth part for their wives and children, though in true reaſon they are altogether juſtifiable, having never been in any Engagement, but found only in ſome Garriſons of the King, whether they were

were driven for refuge, being put out of the protection of the Parliament by publique Proclamation, their houses every where rifled, their goods plunder'd, and lives endangered by the soldiers, whose condition seems clearly to be within the equity of that Article of the Armies Propoſals, Aug. 1647. That the Kings menial ſervants, who never took up Arms, but only attended on his Perſon, according to their Offices, be freed from Compoſition; *much more theſe who had both the civil reaſon of duty, and the unanſwerable argument of neceſſity, to plead for their diſcharge: And (which is yet more hard) ſome Recuſants of this Claſs, who never bare Arms, but were only found in Garriſons, for their own perſonal ſecurity, are now rank'd among the higheſt Delinquents, and their eſtates to be ſold, ſuch are Sir* Henry Beddingfield, *M.* Bodenham, *&c.*

As for the ſingle Recuſants, two thirds of their eſtates are ſeized upon, only for the cauſe of Religion, under which notion are included all ſuch as were heretofore convict of not reſorting to Common Prayers, *or do now refuſe the Oath of* Abjuration, *a new Oath made by the two Houſes, when the former kind of ſervice was aboliſh't, wherein the practiſe is ſtrangely ſevere; for upon bare information, the eſtate of the ſuſpected is ſecured, that is, his rents, &c. ſuſpended, before any trial, or legal proof, even in theſe more peaceable times, and being once thus half-condemn'd, he has no other remedy to help himſelf, but by forſwearing his Religion, and ſo by an Oath a thouſand times baniſher then that Ex Officio, they draw out of his own mouth his condemnation.*

When the Sequeſtrators have thus ſeized into their hands two thirds of the moſt innocent Recuſants lands and goods, then come the Exciſe men, Tax-gatherers, and other Collectors, and pinch away no ſmall part of the poor third penny that was left them; ſo that after theſe deductions, I have known ſome eſtates of three hundred pound a year, reduced to leſs then threeſcore, a lean pittance to maintain them and their children, being perſons for the moſt part of good quality, and civil education: And as for Prieſts, it is made as great a crime, to have taken Orders *after the rites of their Church, as to have committed the moſt hainous treaſon that can be imagined, and they are far more cruelly puniſh't, then thoſe that murder their own Parents.*

Beſides theſe extream and fatal Penalties that lie upon the Recuſants meerly for their conſcience, there are many other afflictions, whereof few take notice, which though of leſſer weight, yet being added to the former, quite ſink them down to the bottom of ſorrow and perplexity; as their continual fear of having their houſes broken open, and ſearch'd by Purſuivants, *who enter at what hours they pleaſe, and do there what they liſt, taking away, not only all the inſtruments of their Religion, but oftentimes money, plate, watches, and other ſuch Popiſh Idols, eſpecially if they be found in the ſame room with any Pictures, and ſo infected with a relative ſuperſtition.*

Another of their afflictions is, that they, I mean theſe ſingle Recuſants, have no power to ſell or mortgage the leaſt part of their eſtates, either to pay their juſt debts, or defray their neceſſary expences, whereby they are diſabled for all commerce, and their credit being utterly loſt, (upon which many of them now provide even their daily bread) they muſt needs in a ſhort time be brought to a deſperate neceſſity, if not abſolute ruine; and if any, the moſt quiet and moderate amongſt them, ſhould deſire to tranſplant himſelf to a milder Climate, and ſo endeavour to avoid the offence that is taken againſt him in his own Country, he cannot diſpoſe of his eſtate here, ſo as by Bill of Exchange, or any other way, to provide the leaſt ſubſiſtence for himſelf and family: a ſeverity farre beyond the moſt rigid practice of the Scotch Kirk: for there (as I am informed) the perſons of Recuſants are onely baniſht out of the Kingdome, and prohibited to reſide at their own homes above forty dayes in a year,

which time is allowed them for the managing of their estates, and their estates allowed them for their maintenance abroad: A Proceeding, which their Principles would clearly justifie, if they could justifie their Principles: But in England, *where compulsion upon the Conscience is decryed as the worst of slaveries, to punish men so sharply for matters of Religion, contrary to the Principles publikely received, is a course that must needs beget over all the world a strong suspition and prejudice against the honour and reputation of that State, which at the same time can practise such manifest contradictions.*

To this deplorable condition (said he almost weeping) *are the English Catholikes now reduced, yet they bear all, not onely with patience, but even silence; for amongst the printed complaints so frequent in these times, never any thing has been seen to proceed from them, though alwayes the chief, and now the sole sufferers for their Consciences, except (not to be altogether wanting to themselves) some modest Petitions humbly addressed to the Parliament, though such has been their unhappiness, that more weighty affairs have still disappointed their being taken into consideration; else were they admitted to clear themselves of the mistakes and scandals unjustly imputed to them, they would not doubt fully to satisfie all ingenuous and unpassionate men, nay, even whomsoever, that were but moderately prejudiced against them.*

To this I answered, that as every one sees the severity of the Penalties which Papists suffer, so for my self, I believe the tenderness of their Consciences, because they suffer: and upon this ground wee see our Judges and Committee men allow Deeds, where they find cleare proof of a valuable consideration: but Idolatry, and the destructive Principles concerning Civill Government, seem to mee the two points that are *onely* and *altogether* intollerable in that Religion.

Whether Papists be guilty of Idolatry in the Question of Angels, Saints, and Pictures.

THe Papist here first took for granted, which indeed I could not deny, that if any opinion be probably true, persecution in that case is certainly unlawfull, because otherwise both sides, for both are probable, if one be, might justifiably persecute one another, to the utter destruction of all society, and after returned this answer to my first objection.

Wee reverence indeed (says he) *the Angels, and blessed Saints, with a respect farre more then we use to men, because farre above their Dignity, but infinitely below the adoration we give to* GOD, *because infinitely below his excellency. All the mistakes in this controversie arising from hence, that the language of men has more distinctiveness and variety, then the gestures of their bodies, and yet is farre lesse copious, then the thoughts of their minds, whence it is they so frequently apply to most different conceptions, the self-same words and postures of body, as the titles of* sacred Majesty, most High, most Mighty, *given to Kings and States, the style of* Grace *to Dukes, and Arch-bishops, of* Lord, *to Noblemen, Generals, Ambassadors, &c. of* Worship, *to Gentlemen of quality, and such as bear any considerable Office in the Common-wealth; so kneeling to Parents, standing bare to the Parliament, and other Courts, bowing to one another, &c. All these very expressions are the same we use towards God himselfe,*

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and passe innocently, when rightly understood, but to a scrupulous and wilfull spirit, how offensive would this one word Worshipful *be, if he reflected with a little rigour and frowardnesse upon it? now as every old woman has capacity enough to make a different apprehension betwixt going to speak with one at the* Lion *in* Cheapside, *and going to see the* Lion *in the* Tower, *so may any, the most simple Catholike in the world, by a very little teaching, learn to distinguish the* Crucifix *which hee sees in the Church, from Christ, whom hee believes to bee in Heaven, and consequently in no more danger of committing Idolatry to that Picture, then the other of fearing to be torn in pieces by the Sign.*

Upon this Argument of the Papist, I call'd to mind what I had read my self in Scripture, how the Prophet *Balaam* fell flat upon the ground, and adored an Angel, *Numb.* 22. 31. and *Joshuah* gave the same honour to another, that styl'd himself *Captain of the Lords Host*, and therefore could not be the Lord, *Jos.* 5. 13. nay, he was commanded yet farther, to *put off his shoes, because the ground was holy*, by the presence of an Angel; these examples I confess, being related in the Bible, without the least note of reproof, enforce us to admit severall degrees of worship, infinitely differing in the intention of the mind, though very little in outward expressions. Now by whatsoever name we *Protestants* shall agree to call this behaviour of *Balaam*, *Joshua*, and even all the Jews before the Ark and Cherubins, I see plainly it will fully express, and shrewdly justifie (at least from Idolatry) all the approved practises of the Papists, which truly cast up, as far as I can discern, amount to no more then a reverence towards Saints and Angels, suitable to the excellency of their State, and for Churches, Altars, Pictures, &c. only to an Ecclesiastical kind of good manners. And by the Light of Nature, thus far seems to me evident, that all honour or dishonour done to the Image, reflects upon the Principal, since not one amongst us but would condemn him for a Malignant, that should shoot at my *Lord Generals Picture* without *Temple Bar*, and if any should reprove him for his temerity, we would presently conclude such person wel-affected to the present Government, and not at all sequestrable for *Idolatry*, unless we could prove that the abused and doting people superstitiously adored the painted cloth, which kind of worship, I am satisfied, no Recusant gives even to the picture of our Saviour.

Lastly, I think it probable, not certain, as the Papists do, that the second *Commandement* intends not to forbid any such inferiour spiritual civilities, because wise Governours contrive their Laws against those vices, to which they see their Subjects particularly enclined; And therefore downright *Idolatry*, by offering Sacrifice to Gods, made with hands, and reposing confidence in their assistance, being the common sins of those times, 'tis probable, we ought to interpret this *Precept*, as a provision against Heathenish Idolatry, not against such kind of reverences, as the Jews by Gods own appointment used before the Ark and Cherubins.

Agreeable to this, is the Opinion of the Learned Mr. *Hobs* in his *Leviathan*, where *fol.* 360. he affirms that *to worship God in some peculiar place, or turning a mans face towards an Image, is not to worship the place or Image, but to acknowledge them holy, that is to say, set apart from common use; for that is the meaning of the word* holy, *which implies no new quality in the place or Image, but onely a new relation by appropriation to God, and therefore is not Idolatry. But to worship God, as inanimating or inhabiting such place or image, is idolatry.*

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When I had read this passage of so famous an Author to the Recusant, he to requite my civility, immediately shewed me the words of the *Councel of Trent*, which he said differed nothing at all from M. *Hobs*, and very little from me: For as I thought, that the exhibition of some inferiour kind of reverence towards Churches, and other instruments of piety, was probably unforbidden: So that Councel decrees the absolute lawfulness thereof in the 25 *Session*, where to the Canon concerning Images, are added these words of explanation: *Not that there is believed any divinity or vertue in them, for which they ought to be worshipped, or that they are to be petitioned for any thing, or any confidence ought to be reposed in images, as of old was done by the* Gentiles, *who placed their hope in Idols, but because the honour exhibited to them is referred to the Prototypes they represent, that so, through the Images which we kisse, and before which we bare our heads, and kneel down, wee may adore Christ, and venerate his Saints.*

Upon which words, the Papist desired me to observe the cautelousness and moderation of that Councel, whilest it sayes, we bare our head, and bow our knee *before*, not *to* the Images of our Saviour and his Saints, which is the very distinction (says he) so much insisted upon by many Learned *Protestants*, who easily admit the one as being no more in effect then most of themselves practise, whilst they uncover their heads in their Churches, but extreamly dislike the other, and therefore father it upon the Papists, because perhaps they have heard some such word unwarily fall from particular persons, with whom they have disputed, whereas we see that Councel which they esteem the most corrupt of all, expresses its doctrine in the very tearm and language which themselves allow; and further he assured me, that in no Councel is used the phrase of *Religious worship*, when they treat of these questions, nor any thing concerning them commanded as necessary, but only their lawfulness declared, that such as find benefit by their assisting the memory, or exciting the affections, may safely use them, the rest may let them alone, provided they censure not the practise of others, over whom they have no Jurisdiction, nor condemn the judgement of the Church, who has Jurisdiction over them.

And hereupon we both agreed in this collateral observation, that if all modern Controvertists would restrain their disputes to positions generally received as of Faith in the Church, of which they are members, attending only to her expressions, and not to the tearms of particular Writers, the differences amongst Christians, so fatal to the peace of *Europe*, would be both less numerous, and far more reconcileable.

Whether Papists be guilty of Idolatry in the Eucharist.

BEfore we could proceed to the second part of this Question, the Recusant upon some occasions was obliged to go into the Country, whence he sent me this following paper.

Since it is concluded between us, that probability exempts from persecution, I shall endeavour to prove that the reall presence of our Saviour in the Eucharist, *is at least*

a probable Opinion; and in order thereunto, cite the moſt expreſs and direct tearms of the holy Scripture; as firſt, the promiſe of our SAVIOUR, John 6. 5. The bread that I will give is my fleſh, which I will give for the life of the world: and verſe 55. My fleſh is meat indeed, and my Bloud is drink indeed. Secondly, The performance of that promiſe, in the words of Inſtitution, Take, eat, this is my Body; punctually repeated by the other three Evangeliſts, Matth. 26. 26. Mark 14. 22. Luke 22. 19. And thirdly, the places declaring the uſe of this Sacrament in the Apoſtles time, 1 Cor. 10. 16. The Cup of bleſſing which we bleſs, is it not the Communion of the bloud of Chriſt? and the Bread which we break, is it not the participation of the Body of the Lord? 1 Corinth. 11. 29. He that eateth and drinketh unworthily, eateth and drinketh damnation to himſelf, not diſcerning the Lords Body. Thus the great Apoſtle S. Paul, and all the four Evangeliſts unanimouſly teach the Doctrine of the Real Preſence, and not one ſingle place produceable that in direct tearms calls the Euchariſt, a ſign or figure of Chriſts Body; Notwithſtanding the maintainers thereof admit no proof as authentical, but the preciſe Text of Scripture, yet in this ſo important controverſie they flie to Logical inferences, and Philoſophical diſcourſes, and ſo make their own reaſon the Judge, and not the Word of God, rendring by their new and private interpretations this great Sacrament inferiour in dignity, not only to the Paſchal Lamb, a type of Chriſt, but even to Manna, which was but a figure of this very myſtery.

Surely if we ſhall add to ſo many and evident Texts of Scripture, the conſtant judgment of the Fathers, and the univerſal practice of the whole Chriſtian world, for above a thouſand yeares (ſince ſo long is acknowledged the abſolute reign of our Religion) we may ſafely conclude the Doctrine of our Saviours Preſence in the Euchariſt to bee at leaſt probable, and conſequently Catholikes in no wiſe accuſable of raſhneſs or obſtinacy, in believing a Poſition ſo efficaciouſly recommended unto them.

But admitting the Doctrine of non-reality to be true, (ſaid the Letter of the Recuſant) yet ought not Catholikes to be judged guilty of the ſin of Idolatry, becauſe their adoration is not intentionally directed to any creature, but to the Perſon of Chriſt our Lord: and if He be not there, their worſhip is miſtaken in the place, not in the object; and therefore at moſt an errour of fact, and no formal Idolatry, which no temperate Judge will impute unto ſin, much leſs our merciful Redeemer, who came to ſave, not to deſtroy, who accepts of the good meaning of his ſervants, though mingled with humane infirmities, as when Abimelech miſ-took Sara from her husband, being informed by Abraham that ſhe was his ſiſter, the ſincere and conſcientious King received abſolution from God himſelf, upon this account, that he did it (ſaith the Text) in the ſimplicity of his heart, Gen. 20. 6. which ſeems an expreſs and infallible deciſion of this Controverſie, that men may be unhappy by being deceived, but are not guilty, unleſs they deceive themſelves.

This kind of reaſoning prevailed ſomewhat the more with me, becauſe the Apology of the reformed Churches of France, expreſly approves it; ſaying, If an Apoſtle had by miſtake adored ſome other man reſembling Chriſt, when he lived on earth, his errour would have excuſed him, Daillé chap. 11. As on the other ſide, Mary Magdalens not adoring Chriſt, when he appeared to her in the habit of a Gardner, John 20. 15. was never accuſed as a defect of devotion; Wherefore ſince the Papiſts all profeſs not to terminate their adoration in the ſpecies of Bread & Wine, nor any other creature, but in the bleſſed perſon of our Lord, I conclude them erroneous

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in their Doctrine, but not idolatrous in their practise; to be pitied as ſouls miſled, not perſecuted as malicious.

Nor can I ſatisfie my Conſcience, ſince as to this point the Opinion of the *Papiſts* is no more oppoſite to us, then that of the *Lutherans*, why we ſhould freely allow Communion to *theſe*, even of ſpiritual things, and in the mean while not afford *them* ſo much as the liberty to poſſeſs their own temporal goods. The *Lutherans* believe our SAVIOUR to be as really in the *Euchariſt*, as he was upon the Croſs, but do not adore him; the Papiſts both believe and adore; for my part, I ſhould clearly, either doe both, or neither, at leaſt I ſhall never bee brought to this partiality, to cheriſh the one as brethren, and perſecute the other as enemies; Eſpecially when I conſider the Chriſtian proceedings of the Proteſtants in *New-England*, *Virginia*, and the other Plantations in the *Indies*, where we abhor to deſtroy the Natives, though confeſſedly idolaters, but rather ſtrive to convert them, by holding out the truth in love.

Whether Papiſts are inconſiſtent with Civil Government.

BY the next Poſt I received from the ſame hand another Letter concerning the common Objection, That *Papiſts hold many Principles deſtructive to Civill Society*; wherein the Recuſant proteſting firſt ſolemnly, as in the ſight of God and his holy Angels, to uſe all ingenuity and candor in his relation of the Catholike Doctrine, earneſtly intreated me to give credit to his report in the matters of *Fact*, and for the *right*, to judge freely, as I ſaw cauſe.

Wee will divide (ſays he) *the main Queſtion into two points, as it relates either to our equals, or Superiours: for the firſt, touching Commerce and Converſation, wee abſolutely diſclaim that ſcandalous opinion*, That no Faith is to be kept with Heretikes, *and flatly deny, that our Engagement, promiſe, or contract, may lawfully be broken by our ſelves, or diſpenſed with by any Power on Earth, to the prejudice of a third perſon, of what Religion ſoever, and for* equivocation, mentall reſervation, *&c. I am confident (though I have not here any opportunity to look into Books) that no General Councel mentions either any ſuch word, or any ſuch thing. Schoolmen indeed frequently diſpute ſuch ſubtilties, which by men of different principles and affections in Religion, are eaſily miſ-underſtood, and often perverted, but amongſt Catholiques, every one has liberty to deny them as he pleaſeth, without any prejudice to Faith: and though thoſe ſpeculations generally deſerve encouragement, yet when they arrive at a certain degree of niceneſs, they rather become an innocent curioſity, then profitable employment, and in ſuch an infinity of Opinions, as Catholike Writers have leiſure to publiſh, it is impoſſible, but that through paſſion, unwarineſs, or humane frailty, ſome miſtakes muſt eſcape, and then the unhappineſs is, that prejudiced and captious Readers applying their whole ſtudy to finde faults, forget the good and wholeſome notions they meet, and remember nothing but the errors.*

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As to the second branch, concerning our duty to Magistrates, we deny (says the Letter) *any earthly power can dispense with our civill obedience, and acknowledge our selves bound, not only by the Law of Nature, but by the expresse Word of God, to render unto Cæsar the things that are Cæsars, to be subject not only for fear, but conscience sake; What Christian Prince or State is there in the world, whom the Subjects serve with more fidelity then the* Spaniard, French, *and* Italian, *all Catholike Dominions? and particularly in* England, *where we are some of* Paul, *some of* Apollo, *and some of* Cephas? *What comparison is there betwixt the behaviour of* Catholikes, *towards* H. 8. Edw. 6. *and* Eliz. *and the fury of* Lutherans *and* Calvinists *in* Germany, Suedland, Denmark, France, Holland, &c. *yet there is a vast difference, as to Government, between these two cases, to oppose by force the introducement of innovations, by which the peace must needs be indangered, and to attempt by force the extinguishment of an ancient Religion, wherof the people are universally in quiet and immemoriall possession; the one drives others out of possession, the other maintains himself in; the one invades his neighbours right, the other defends his own.*

How many modern experiences (the easiest argument to be understood, and surest to be relied on) clearly resolve this question? If we but consider the union of hearts, and common interests of State, between the Protestant and Catholike Cantons of Switzerland, *where very many Churches serve by turns upon the same day, for the exercise of both Religions, dividing every Sunday morning into two parts, and assigning to each about three hours for their devotions, wherein they are so punctuall to maintain equality, that if the Protestants have the first three hours one morning, next week they are to have the last; and this they continually practise, without ever interfering or offending one another.*

To this so pregnant example (sufficient of it self to clear the consistency of those two Religions) I shall further add their fair comportment one towards another, in many Provinces, and free towns in Germany; *but most remarkable is their friendly and peaceable living together in* Holland, *even during so long and dangerous wars with* Spain; Spain *the chief protector of the* Catholike Faith, Spain *the most zealous propagator of the Pontificall authority, to whose Dominion, if the united Provinces should again return, certainly the Catholikes might prudently promise to themselves all possible advantages; yet notwithstanding so great occasion of jealousie, the* States *(then whom none are more vigilant over their true Interest) have not only with security, but exceeding benefit to their Commonwealth, tolerated the* Catholikes *of quiet conversation, to live freely amongst them. And on the other side, the* Catholikes, *in gratitude for so favorable a treating, have exactly corresponded to the mercy of their Magistrates, with a most constant, sincere, and faithfull obedience.*

To none of these suspitions are the Recusants *of* England *in the least measure obnoxious, because whatever change of Government can happen, they must expect but a milder degree of disaffection towards them, at most a sufferance, no incouragement, or particular confidence; and infallibly, if the rigor of the Laws (made upon far different motives which are now no wayes pressing) were qualified to a temper of mercy, that the* Catholikes *might enjoy but half the Liberties to which they were born, they would be the most quiet and usefull Subjects of* England, *since their Religion obliges them to obey the lawfull commands of their Superiors, not only for fear, but conscience. Nor did ever the very worst of them stir in any sedition at a time when they were admitted to but half the common Rights of English-men; nor were they many that suffered nature so far to prevaile against the duty of a good Christian, as to attempt their own relief with*

the danger of their Countries perill, all the rest sitting quietly and patiently under the burthens, which the heavy hand of those times continually heapt upon them.

Now that the crimes (though never so hainous) of a few discontented and desperate spirits, should be imputed to their Religion, whose principles expressly condemne such conspiracies, seems extremely rigorous; but when to those dishonorable imputations are joyned intolerable penalties, both upon our lives and estates, and not onely against the then living Catholikes, but all their posterity to this very day, surely it must needs appear the most harsh and severe proceeding that ever was practised in the world: Wherefore I shall close this second Letter with my humble prayers to the gracious Redeemer of our souls, that you would cease to impute all our faults to our Religion, and we begin to commit no other fault but our Religion; so should we happily overcome our own infirmities, and fully satisfie your jealousies.

When I had well perused this Gentlemans discourse, and attentively read his letters, I must freely confesse, I could not have believed that either the Papists had suffered so much from us, or been able to say so much for themselves; I do not mean in order to prove the truth of their Religion, but the unreasonableness of our persecution; since really to my understanding, our jealousies of their obedience seem as unnecessary unto us, as prejudiciall to them. For I am confident there is no Religion in the world, but by good Lawes against breach of peace, and due execution of them, may be made consistent with any Kingdom or Commonwealth whatsoever. Who more opposite in belief then *Christians*, *Jews* and *Turks*, yet we see by experience that *Jews* are not inconsistent with the Government of *Christians*, nor *Christians* with that of the *Turks*, no not such *Christians* as are here in question, *Papists*.

As concerning the Doctrine we charge upon them, of the Popes power over supreme Magistrates, I had the fortune some few years since, to meet with a paper that clearly answered all my difficulties, wherein were written these three following *Propositions*, to which, upon a particular occasion, were demanded of the English Recusants their negative subscriptions, as a full proof of their consistency with the civill goverument of this Land.

1. *That the Pope or Church hath power to absolve any person or persons from their obedience to the civill and politicall Government established, or to be established in this Nation in civill and politicall affairs.*
2. *That by the command or dispensation of the Pope or Church, it is lawfull to kill, destroy, or do any injury to any person or persons living within the Kings Dominions, because that such a person or persons are accused, condemned, censured, or excommunicated for* Error, Schism, *or* Heresie.
3. *That it is lawfull in it self, or by dispensation from the Pope, to break promise or oath made to any of the foresaid persons, under pretence that they are Heretikes.*

These the Subscribers (being both in number and quality sufficient to represent the whole body of *Recusants* in this *Nation*) unanimously profest (if the State, providing for its own security, and condescending to relieve their misery, should so require) their readinesse not only to disclaim, as no part of their Religion, but utterly to renounce under their hands the practice and execution of them all; which free and ingenuous offer gave me so much the more satisfaction, by how much it was besides my expectation; nor have I now any thing to say against them upon that accompt.

And indeed if we consider these differences between us impartially, our suspitions are not only confuted, but shamed, by our own daily experience: for we trust *Papists* in all

all Negotiations as indifferently as *Protestants*; nay even our Travellers and Merchants beyond Seas (where the *Papists* are masters) converse and traffique securely with them, and yet I never heard the least complaint of any one single *Protestant*'s being cheated by them, upon pretence of exemption or dispensation; and therefore since they practise not that part which may sometimes be profitable, I cannot think they hold to no purpose, that which is alwayes prejudiciall. Surely had they such a trick, they would sometimes cogg the dye, rather then alwayes lose their money.

For my small experience in the world, all the objection that ever I heard of against the credit of our *Papists*, was, their being disabled by sequestrations to pay their debts, not taught by their Religion to deceive their creditors.

If their Doctrines were so destructive to civill Society, as our accusations pretend, how coms it to passe that all our fundamentall Laws were enacted by them? who invested the Supreme Authority of this Nation with so honourable priviledges, and yet provided so prudently for the just security of the people, against the unjust incroachments of Prerogative? From whom have all those excellent Customs and Statutes of this Nation descended upon us? Is it possible we should derive all the ancient Priviledges of Praliament, and Liberties of the Subject contained in *Magna Charta*, &c. from the times their Religion governed the Land, and yet say now their Religion is inconsistent with the government of the Land? As it is very true, that sometimes the Popes power here was abused to support a temporall interest, so it is evident to those that know History, that his mediation has been often available, both for the preventing and reconciling of our differences, as well with our neighbouring Kingdoms, as amongst our selves.

Nor is it possible that any Modell of Government should be absolutely proof against all exceptions, but in the experience of five or six hundred years some abuses will certainly happen; whence it is ease for a severe observer to gather objections enough to puzzle the most able and politique Statist in the world to answer, especially if they be managed with dexterity and eloquence amongst a half-witted and stubborn people, who neither can guide themselves, nor will be led by others, not blind enough to be ignorant where they are, and yet too short-sighted to see whether they go, unhappy chiefly in this, that they are tender in the sense of any present evill, and wholly incapable of foreseeing the destruction that follows their impatience.

So that I cannot but subscribe to that charitable Opinion concerning Papists, which that learned book entituled, *The Examination of the late Synods Confession of Faith*, delivres page 266. *The Papists believe in the same God with the Protestants, even in the Father, the Son, and the Holy Ghost, though they differ in some Articles, or branches of Articles of their belief, and in their way of worship. yea some of the Papists are regenerate, conscientious, and vertuous persons.*

Wherefore (I humbly conceive) our Magistrates and Ministers ought sincerely to enquire into the truth of things, and make a conscience of judging or preaching otherwise then *secundum probata*, and not upon bare jealousies, or the blind opinion of the vulgar condemn any free-born member of this Nation farther then he shall be proved to be guilty. Nor do I believe it reasonable to charge every unjustifiable action of particular *Papists*, or extravagant opinion of any private writer amongst them, upon the whole body of their Religion; The Decrees of their Councells, they professe to be the only absolute declarers of their Faith; amongst whose determinations there are faults enough, which they strive to defend, no need of imposing upon them errors, which they flatly deny. Let us lay our hands upon our own hearts, we our selves want not our capriches and exorbitant conceits, which ought not to be imputed to the whole reformed

Religion, but to the imperfection of humane nature, easily deceived with the colour of truth, and passionately in love with it's own invention.

Besides instead of jealousies and dangers, I cannot see but great security and advantages would accrue to this Nation, by treating in mercy all peaceable Papists; the Pope would be deprived of that specious pretext of relieving his distressed flock; the Princes and States of that Religion, would for honour as well as conscience, upon all occasions, expresse their satisfaction to see them mercifully used, whom for their profession they account brethren, and for their sufferings, Martyrs. The *Protestants* in other Countreys would be more assured of the freedome they enjoy, and more hopefull of obtaining new encreases of their liberty; The Papists of England would be bound by their own interest (the strongest obligation amongst wise men) to live peaceably and thankfully in the private exercise of their consciences, and becoming gainers by such compassion, could not so reasonably be distrusted, as the *Prelatical* or *Presbyterian* Party, who must needs reckon themselves no small losers, in that the reins of authority are taken out of their hands, which they had by turns abused into meer whips for their brethren.

Of the one we have had too long experience in their *High Commission*, especially since its power was overgrown by the conspiracy of the *Starchamber*, a Court, where fines were imposed, not according to the quality of the offences, but of the Judges, who thought it below their honour to punish under thousands of pounds for every *Peccadillo*.

Of the other, though our tryall has been but short, yet it was very smart, and lives still in the memory of *England*, which is every day refresht by the continuall practise of *Scotland*, where the furious and uncharitable *Kirk-men* condemn all that differ in the least tittle from their humor, &c. crying *Anathema Maranatha* upon all the Congregations of the Saints, as appears by their *Synodicall Act*, set forth in *Jan.* 1650. and sent to their Brethren in *Edenburgh*; where, having first called our waies *abominations*, and our selves *a perverse generation*, and branded those few honest Scots, who suffered themselves to be undeceived by the reasons and civility of our Army, with the infamous name of *Apostates*, they proceed to the most bitter, malicious, and scandalous words that an inraged Scot can utter, speaking thus to their Party. *We exhort you, and by all the power over you we have in the Lord, require you, carefully to avoid all familiar converse of every degree, above all, that you beware to joyn with them* (those that adhere to the Parliament of England) *in any publike or private exercise of Religion; those who will adventure to touch pitch, may be defiled before they be aware, those who will not abstain from the Harlots house, shall not be innocent; Take heed* (dearly beloved) *of them that are led by the subtility and depth of the divell, and among all his instruments, we intreat you to avoid none more then these miserable Apostates of our own Nation, for we conceive none more fitted to work mischief among you then this sort of men:* And in their motives or grounds for a Fast in *June* 1651. their expressions against us are no lesse bitter: see how their zeal boyls, while they are but a kindling, while we choak the fuell in its own smoke, how would their fury run over, if the fire should by any successe be raised into a flame! how would they drown the whole Countrey in an inundation of more then Antichristian slavery?

But because I perceived by a passage in the Recusants discourse, that nothing lay more heavy upon them then the new Oath of *Abjuration* made by the Presbyterian Party in the beginning of the late troubles; I shall adventure humbly to move some *Quere's* thereupon, transcribing first a true Copy of the Oath it self.

J. A.

I. A. B. Do abjure and renounce the Popes Supremacy and Authority over the Catholike Church in generall, and over my self in particular, and I do believe that there is not any Transubstantiation in the Sacrament of the Lords Supper, or in the Element of Bread and Wine after Consecration thereof, by any person whatsoever; and I do believe that there is not any Purgatory; and that the consecrated Host, Crucifixes or Images ought not to be worshipped, neither that any worship is due unto them, and I also believe that Salvation cannot be merited by works, and all Doctrines in affirmation of the said points, I do abjure and renounce without any Æquivocation, mentall reservation, or secret evasion whatsoever, taking the words by me spoken, according to the common and usuall meaning of them, So help me God.

1. Whether this Oath doth not flatly contradict the known Laws of the Land, by enforcing a free-born English-man to accuse himself, with so strong and dangerous a temptation to perjury, where the choice is only this, either forswear your Religion, or ruine your estate; a severity that far exceeds the tyranny of the Prelates, whose indignation stayed it self upon the exteriour non-conformity; whereas this passes on to constrain the inward belief of the mind, which God (the searcher of all hearts) hath reserved to himself, and all this, in Questions no waies concerning either Idolatry, or the security of the State; as Purgatory, and the Doctrine of merits, for that conscience that is not wide enough to swallow all the Oath, how great soever the part is that he can digest, it will do him no good.

For further proof of the illegality of Self-accusation, I shall cite some few Authorities, as well of the more ancient, as latter times, nor must I be so uncivill as not to begin with *Magna Charta*. NULLUS LIBER HOMO CAPIATUR VEL IMPRISONETUR AUT DISSESIETUR DE LIBERO TENEMENTO SUO VEL LIBERTATIBUS VEL LIBERIS CONSUETUDINIBUS SUIS, AUT UTLAGETUR AUT EXULETUR AUT ALIQUO MODO DESTRUATUR, NEC SUPER EUM IBIMUS, NEC SUPER EUM MITTEMUS NISI PER LEGALE JUDICIUM PARIUM SUORUM VEL PER LEGEM TERRÆ. *No free man may be arrested, imprisoned, or put out of his freehold, or liberties, or free customes, or outlawed, or banisht, or any waies destroyed, neither by our self, nor our Committees, or Officers, but only by the legall judgement of his Peers, or by the Law of the Land*; which last words are interpreted by S. *Edw. Cook* Lord chief Justice, to be intended of arresting upon suspition of Felony, and the like extraordinary cases allowed and determin'd by the ancient Laws of the Land. 2. *Part.* of Inst. 45. a place worthy to be read by every lover of his Countries liberty. And again in the same *Mag. Charta* cap. 28. NULLUS BALIVUS, &c. *No Bailiff shall put a man to an oath upon his own bare saying, without faithfull witnesses brought in for the same.*

In the Stat. of 42. Ed. 3. cap. 3. *It is assented and accorded for the good Government of the Commons, that no man be put to answer without presentment before Justices, or matter of Record, by due processe and Writ originall, according to the old Law of the Land*: and the fundamentall reason of all these Laws is given in 49. *Ed.* 3. which is, QUIA NEMO TENETUR PRODERE SEIPSUM, *No man is bound to betray himself*; and therefore if a Juror be challenged for kindred, he shall answer upon his Oath, but if for any thing that touches his credit, or may be to his damage, he shall not be forced to answer upon oath, although his answer might tend to advance Justice.

In the Stat. of 25. H. 8. cap. 14. *It standeth not with right order of Justice, nor good equity, that any person should be convict, and put to losse of life, good name, or goods, unlesse it were by due accusation and witnesse, or by Presentment, Verdict, Confession, or Outlary.*

Upon

Upon the same ground is built the Stat. of 1. *Eliz.* cap 1. where speaking of Ecclesiasticall Jurisdiction and offences, it enacts *no man shall be indited or arraigned in such cases, without two Witnesses or more, and those brought face to face, if the party concerned shall so require.*

And in *Cokes* 2. *part of Institutes*, published by order of this present *Parliament*, *fol.* 658. *No person Ecclesiasticall or temporall, ought in any Ecclesiasticall Court, much lesse in a temporall, to be examined upon the cogitations of his heart, or what he thinketh, &c.* as it was holden by the Judges in Parliament, 4. *Jac.* and after in the Court of Common Pleas, *Mich.* 6. *Jac.* in *D. Wolfions* case in a Prohibition.

I need not insist upon the High Commission Court abolisht by this present Parliament, as the heaviest grievance that lay upon the people; (and yet perhaps lighter then this Oath of Abjuration) as being so fresh in the memory of every one, that the very nameing only of the Oath, *Ex Officio*, is enough to turn the Readers stomack against all such uncharitable inventions, to rack mens consciences, and ruine their estates.

If now we shall add the Laws of God to those of our Countrey, surely nothing can be more strongly forbidden, then to ground a penall sentence upon the enforced oath of the Party, without witnesse or accuser; since it is expressely written in *Deut* 19. 15. *That one witnesse shall not arise against a man for any offence, but in the mouth of two or three shall the matter be establisht*; which rule is punctually repeated and confirm'd in the Gospell, *Mat.* 18. 16. and fortified by the example of Christ himself, who demanded of the woman indited before him as an adultresse, *where be thy accusers*; nay even *Felix* (the Governour of the Jews) when *Paul* the Apostle was brought before him, said *he would hear him when his accusers were come*, Acts 23. 35. holding it unjust without an accuser to charge him. thus have I already half satisfied the first *Quære* my self, but shall leave all the rest wholly to be answered by others.

2. This Oath being wholly Negative, and no Positive Articles established by the Parliament, to be proposed to all as the Touchstone of Faith, whether it be conscientious to oblige the Papist to swear away his own Religion, before we have provided another for him?

3. Since all these Negatives are not clearly set down in Scripture, as fundamentall points of Christian faith, but deduced from passages, to which the Answers are believed as probable by them, as the arguments by us, why should we so cruelly persecute one another for Doctrines, that are either obscurely revealed, or not necessarily enjoyned?

4. Whether upon diligent perusall of this Oath, we find therein any point of Religion, since we see every day men sequestred for refusing it, and yet we all say, *God forbid that any one should be molested for Religion?* Is the Article of *Transubstantiation* a meer point of State? or does the Doctrine of good works make men bad Subjects? is it not possible to be loyall to the Supreme Authority, and yet believe there is a *Purgatory*, or worse, for those that infringe their peace?

5. Whether it be reasonable for us to enforce this Oath on the Papists, since there are many godly persons amongst our selves, who will not take it, and others who will not swear at all? at least it seems hard to constrain those that are young or unlearned to swear that such an Opinion or Doctrine is not true, which they have alwaies imbraced from their childhood, especially to come upon them bluntly, without any precedent instructions or endeavours to convince their understandings, but only these four fatall words, *swear or be sequestred*, a rigour, which I have heard divers eminent Ministers of the Scottish Party confesse, as the greatest sin of their *Kirk*, and the chief cause of Gods present heavy judgements upon them.

6. How

6. How shall we defend the Oath against this Objection, that any *Jew*, *Turk*, or *Infidell* may take it lawfully, according to their Principles, nay will delight to swear against so many points of that Church, which (by reason of their confining Territories) mainly oppoſes them; nor have we any Law at all (to my knowledge) for which Jew, Turk, Infidell, or the moſt groſſe Heathenish Idolater is ſequeſtrable, nor any penall Oath against the moſt extravagant blaſphemies, that a looſe wit can imagine, and a prophane tongue utter, as *Ranters*, *Arrians*, *Antitrinitarians*, and the like? What can be more deſtructive to the very foundation of *Chriſtianity*, then the prophane and ſcandalous blaſphemies of Mr. *Fry*, a late Member of Parliament, who publikely in print, not only denies, but derides that Supreme myſtery of *Chriſtian Religion*, the ſacred *Trinity*, calling it a *chaffy and abſurd Opinion*, *&c.* yet the mercy of the Parliament contented it ſelf with a moderate and favourable puniſhment, excluding him only from ſitting amongſt them; and if his Dignity and publique Character had not rendred him obnoxious to the crime of ſcandall, he might perhaps have remained as free from trouble, as all the reſt of his Opinion do, who never yet have ſuffered the leaſt moleſtation for the greateſt exorbitances that can be deviſed.

In particular at the Quarter Seſſions at *Weſtminſter*, on the 24. of *June* 1651. there were five *Ranters* convented before Colonell *Baxter*, and other Juſtices, and ſufficient proof, that they had maintained that one *Robins a Glazier was a Prophet, and that his wife was with child of the Meſſias*, with ſuch other blaſphemous ſtaff; but four of theſe, not then abſolutely aſſerting theſe Opinions, nor yet denying them, but evading the ſeverall queſtions demanded of them by the Bench, were diſcharged, the fifth was committed (as he well deſerved) not for his Opinions, but for calling the Juſtices Traytors, &c. On the ſame day a gentlewoman great with child, and ſome others, were alſo convented for a ſuppoſed hearing of Maſſe, on the day commonly called *Chriſtmas* day 1650. at the then *French Agents* houſe in long Acre; And though there was no direct proof that they were at Maſſe, but at Mattins or Prayers before Maſſe, yet ſome of the Juſtices maintain'd againſt others of the ſame Bench, that *Mattins* and *Maſſe* were all one, &c. and ſo the gentlewoman and the reſt were fined one hundred marks a piece, and ſent to priſon, according to the rigour of the Statute in that behalf formerly made; the ſeverity of which laſt proceeding, and the partiality of the firſt, needs no Comment.

Nay the very weekly Pamphlets that were publiſhed 6. *Oct.* 1651. contain letters from Exeter, certifying that divers of the Inhabitants there do openly profeſſe the *Jewiſh Opinion*, and keep *Saturday Sabbath*, performing their ſervile works on the Lords day, without any puniſhment or ſequeſtration, other then that (as the ſame letters affirm) the *Mayor* cauſed one of them to pay the ſmall penalty, which the late Act preſcribes for breach of Sabbath, and ſo the young *Hebrew* was diſmiſt without further trouble, having only learnt, that he remember to rebuild his new *Jeruſalem* without noiſe, or backwards, not towards the ſtreets, leaſt he ſhould offend the ears of the corporation.

Why muſt the *Papiſt* be thus ſingled out from all the reſt, and peremptorily forc't to this hard choice, of either forfeiting his eſtate, or forſaking his Conſcience? if we fear their encreaſe, we undervalue our own ſtrength, abundantly ſufficient are the means which God has put into our hands, to ſecure our ſelves from a few diſarm'd Papiſts; abundantly ſufficient were this only proviſion, to exclude them from Offices of importance, and execute ſevere puniſhment upon ſuch as ſhould actually attempt any thing to the diſcompoſure of the State.

Nor can ſuch gentleneſſe and moderation towards quiet *Recuſants*, be juſtly accoun-

ted

ted a toleration of them, because (I conceive) that word signifies an absolute equality in all civill respects, betwixt Subjects of different judgements in Religion, else the present sufferings of *Papists*, paying their two thirds, might by the same frowardnesse be accused as a toleration; whereas the Penalties indeed are altogether intolerable. Not to inflict the utmost severity of punishment, is not presently to be reputed an allowance of the crime, God himself suffers all the sins we commit, but approves none of them; we our selves daily permit mischiefs to avoid inconveniences, and for that reason we prohibit not *Masse* in the houses of Ambassadors, nor punish Usury, though the Statute it self 13. *Eliz.* 8. brands it with the name of Vice, and most Divines hold it a detestable sin, expressely forbidden by the Law of God.

For that Opinion of the *Popes* being Antichrist, and consequently no pity to be shewed to the children of the *Man of Sin*; surely either it is clearly demonstrable, or clearly uncharitable, and I confesse I have not been able to reconcile the difficulties I meet with in the Scripture, concerning the *Son of Perdition*, for in the *Revel.* 13. 5. I read *the Power of the Beast is to continue 42. monethe*, and very neer the same space of time, *viz.* 1260. *daies shall the two Witnesses cloathed in sackcloth prophecy, with power to shut up the heavens, and turn the waters into bloud, &c. at the end of which time they shall be slain by the Beast, and their dead bodies shall lie unburied in the streets of the City, where the Lord was crucified, three daies and a half, and after return to life, and visibly ascend to heaven in a cloud, Rev.* 11. 2 3.

Who this *Beast* should be I know not, much lesse whom to understand by the *Witnesses*: I do not remember that *Luther* and *Calvin* preacht in sackcloth, or did any miracles, or that any one ever said he saw either of them go into heaven.

But for a full confutation of this conceit, I referre the Reader to the learned *Examination* of the *Synodicall Confession*, *fol.* 274. adding only this one line out of *Rev.* 13. 7. where I find, that to the *Beast* was given power *to overcome the Saints*, which I am sure is no wayes appliable to the Saints of *England*.

A conscientious way of setling Religion proposed.

IN the same place where God commands children to obey their parents, he forbids parents to provoke their children, *Ephes.* 6. And where he exacts fidelity in servants, he likewise requires moderation in Masters, nay more, the text includes even bondmen and slaves, enjoyning the Masters *to forbear threatning, knowing that their Master is also in heaven, neither is there respect of persons with him*; thus clearly doth the Word of God condemn as well harshnesse and cruelty in Governours, as stubbornnesse and treachery in Subjects; so that there is also a tenderneſse of conscience requisite on the Magistrates part, to proceed sincerely and purely for the good of the people, that he may truly say with the Apostle, *I seek not yours, but you*, 2 Cor. 12. 1. and again verse 17. *Did I make a gain of you, by any of them whom I sent unto you?* in which two lines we are plainly advertised of the chief danger, which Superiours ought carefully to avoid, that neither themselves, nor their under-Officers make a profit of mens consciences concerning matters of Religion.

Since therefore the only tolerable design of the Corrector in such cases is the benefit of the sufferer, it necessarily follows, that before we can with the least colour of Justice inflict a penalty upon any different profession, we ought to use all means possible to recover them to truth; And therefore our first work should be to collect a body of *positive* Articles,

Articles, *evidently* contained in Gods Word, and absolutely *necessary* to mans salvation, it being very improper, to pen the publike form of Faith in the Negative, because my believing Christian truths makes me a Christian, and not my disbelieving the errors that oppose them, else he that believes nothing at all would be the best Christian.

In order to which collection, the most religious way, is, that every one, that will modestly, may safely, propose and discusse those difficulties he meets with in Gods Word, and if after all possible diligence of study, meditation and prayer, no satisfaction or union follow in any point, it is an evident sign the question is either obscure or unnecessary, and then provide for the peace of the Common-wealth, and submit the rest to the pleasure of God.

Wherein I have the happinesse to be strengthned with the judgement of Mr. *Peters*, in his notable little Treatise entituled, *Good work for a good Magistrate*, *pag.* 14. where he laies down as a principall means of felicity to a State, that it *countenance and take into special protection all the Churches of Christ, who hold but so much fundamental truth as denominates them such, and in spiritualls to leave them wholly free, but not to suffer any brother uncivilly (though it be about spirituall controversies) to abuse another, so shall the Churches have peace, and be daily multiplied.*

When we have agreed upon a Summary of belief, according to these three conditions, *positive, evident,* and *fundamentall,* (with which the *Creed,* commonly call'd the Apostles, suits best of any I ever saw) then all the Magistrates hold forth in the spirit of love and meeknesse, those so clear and important veritie, and if any should be found dissenting (which I am confident will be very few) let us follow the Apostles rule in punishing, a gentle one it is indeed, but powerfull, 2 Thes. 3. 6. *Withdraw from such a one, that he may be ashamed,* and verse 15. *esteem him not an enemy, but correct him as a brother,* at worst, *rebuke him sharply,* Tit. 1. 13. *and after the first and second admonition reject him,* Tit. 3. 10. that is, leave him to the hardnesse of his heart: if his conscience grow tender it will check; if obdurate, he will soon break out into lewdnesse; and then be justly punishable by the Law, as other criminall Malefactors; only we must be carefull not to anticipate his condemnation before he be legally convinced of some actuall offence against the publique repose.

If we suspect the disaffection of any Party, as the Papists, let us first make it their interest to love their Country, by treating them at least mercifully in it, and then we shall have a fair tryal of their fidelity; I do not know one example, where, to a Prince or State that used them well, they have shown themselves ungrateful.

And though it be the duty of every Christian to love his enemy, and do good to those that persecute him, yet surely it is a *hard saying*; and the most sincere professors of any Religion whatsoever find it difficult enough to observe it, even *Protestants* as well as *Papists* know how to fall out with those Magistrates that oppresse them, else how shall we excuse the civil wars of *France, Germany, Holland,* &c. if we have not recourse to the harsh usage of their Superiours; nor need we seek the reason of these disorders amongst the Articles of any Parties Religion, when by the instinct of nature, not only man, but even the most trivial creature that seems to have no interest in the world, attends with diligence to the preservation of it self; who can blame the humble worm, that whil'st we walk fairly by it, prostrates it self before us, and lowly creeps upon the ground, if, when we tread upon it, it lift the head, and strive to wring it self from under our cruel feet.

Notable to this purpose is the old example of the *Privernates*, an ancient people of Italy; who having rebell'd against the Commonwealth of *Rome*, and being almost quite

reduced by force of Arms, they dispatch their Embassadours for terms of peace; the Senate sternly ask them, *What new peace they could expect, who had so insolently infringed the old?* to which they stoutly answered, *We must now take such conditions as you please to give; if they be moderate, you shall find us faithful, if too heavy, we shall observe them onely till we may safely break them*; which free and generous expression induced that wise Senate to assign them their own demands.

This so full and pregnant instance I humbly offer, as most worthy the imitation of our English Senate, that even to *Recusants*, who ingage to live innocently and quietly amongst us, such reasonable conditions of subsistence may be allowed (since they are equally with our selves born to the freedom of this Nation) as their consciences be not violated, their spirits imbittered, nor humane infirmity tempted to despair; let us rather incourage them to come to our meetings, and freely propose their difficulties, which now they dare not, for fear of discovering their judgements, to the ruine of their estates; let us use the same gentlenesse here in *England*, that his Excellency the *Lord Generall* practised in *Scotland*, towards those that were not only *otherwise minded* in Religion, but *contrary minded* in civill concernments, and actually in arms to maintain their opposition: he invited them to conferences, and himself with admirable temper and moderation managed the discourse, allowing free liberty of reply to the adverse party, without passion, bitternesse or threatning; and though he found not the event answerable to his endeavours, remained at least satisfied in his conscience, by having charitably given the reason of his own actions, and patiently heard the reason of theirs.

And whom can we better imitate, then so great an instrument of the liberty we all enjoy? or wherein can we follow him with so much praise both of God and man, as in the mildnesse of his spirit, by which he conquers more powerfully, then by the sharpnesse of his Sword? Have not the *Papists* understandings as well as we, which our Arguments may rectifie? have they not souls to save, which our charity may gain to heaven? why do we not erect a Committee to purchase souls, as we have Contractors to sell Lands? why is there not established a Committee of *Salvation*, as well as of *Indempnity*, where the Questions of Religion may be freely discust, and the distresses of tender and innocent consciences impartially relieved? If men dealt mildly, and only by the Gospell-way of perswasion, surely there would in time grow Society, Commerce, and mutuall confidence, and so frequent oportunities of clearer information: when once all jealousies and misunderstandings of one another shall be laid aside; the differences amongst Christians will soon be reconciled, if not to an absolute and precise unity of Faith and Doctrine, yet at least to a blessed union of peace and love.

Certainly this is the true ancient spirit, of which these times seem to promise a restitution: this is the fundamentall principle of the souls liberty, so much desired by all the righteous of the Land, this the heavenly doctrine so conscientiously recommended to the Parliament by the learned Author of the late *Synods Examination*, *pag.* 323. *It were good that persons of all different minds in Religion might be freely heard, and their Arguments well weighed, and full answer given in writing to all that are in the wrong, that our controversies might grow to an end, and so truth with love and peace take place.* And yet more particularly by the sharp and piercing wit of Mr. *Peters* in his book before cited p. 13. *Let some, one or more, godly & learned men be setled in every great town, that at certain set times and places weekly may offer to dispute any point with any man, in publ ke hearing of any that please to come, and some to be appointed Moderators, and one or two appointed by the Magistrates to fine and mulct either party that shall reproach, censure, or use any uncivill language contrary to humanity, love, Religion,*

&c.

&c. the advancement of Religion hereby would be almost incredible.

Oh how much better, and more admirably divine is the Gentle method of the Christian Law, to propagate it self *in plain evidence of the spirit*, then the unnaturall Turkish cruelty, of taking children from their parents! or the unworthy *Machiavillian* policy of taking the inheritance from the children! or lastly, which is worse then either, the barbarous Heathenish tyranny of shedding bloud, and tearing limb from limb, meerly upon the account of Religion.

I must confesse I can find no satisfaction in that shuffling and hypocriticall distinction, invented by the Lawyers to deceive the common people, whose simplicity and innocency they easily beguile, by pretending that none are executed for Religion, but for offending against the Laws? what can be more palpably false, or divellishly malicious then this? who does not see but by this rule those bloudy tyrants, *Nero*, *Diocletian*, and the rest of the ten infamous persecuters, must be canonized for good and conscientious Justicers, because they judged according to Law? who does not see that by this rule those glorious Martyrs, who watered the Christian Faith with their precious bloud, must be accounted Traytors, because they suffered according to Law? nay even the cursed Jews, who crucified our blessed Saviour impiously alledged the self-same reason for themselves, *We have a Law, and by our Law he ought to die*, John 19. 7.

Nor can I forbear to professe how extremely unwelcome that scurvy news was to me, of one *Wright a* Jesuite, being drawn to Tyburn as a Trayror upon a hurdle for his Religion, on the 19. of *May* 1651. because I had so often commended the moderation of the present Authority, as having never spilt one drop of bloud for Religion: and though the *Sequestrations* of all peaceable *Recusants* were flatly against our Maximes, yet the pressing necessities of the State, and their purpose (which I alwaies believed) of taking away all penalties upon the conscience, after a short time, when the Government should be a little better settled) exceedingly qualified the harshnesse of those pecuniary severities; but now with grief I must lay down my arms, and with shame revoke all my arguments which I have hitherto used, to lessen the injustice of our sequestring for conscience, and pacifie the minds of many well-affected and religious persons, who highly disliked even that *soul-money*, as King *James* used to call it; wherein as I have had no small successe: so now I cannot with a safe conscience endeavour any more, lest I should cooperate to deceive the people; *Sequestrations* I confesse did shrewdly crack, but this killing has broken quite in pieces all our principles.

Against what have we principally fought all this while, but coercency in Religion? for what have we made so many tedious marches and Declarations, but *liberty of tender Consciences*? is this *to hold forth the truth in love*? is this *to instruct in meeknesse*, as becomes the servants of the Lord? let us take heed how we fall into the hands of the living God, let us alwaies remember that voice speaking within us, *They shall be judged without mercy, that have shewed no mercy.*

Whereunto may fitly be applied the observation of the frank and true English spirit of Mr. *Lilly*, in his *Monarchy or no Monarchy*, pag. 83. *Were not* (saies he) *the Law of this Nation more in force then the Canon of the Scripture, those things would not be justified, putting men to death for Religion, or taking Orders beyond the Seas, &c.* and for the peaceableneſse of Recusants he expresſely sets down in his *Astrological* Predictions of 1651. *their deserving some mercy as persons, who in love to this State exceed the Presbyter.* And to my eye truth shows as handsomely in a *Prognostication*, as in the printed Sermon of a *Classicall-Kirkman*; especially the discourses of our English *Merlinus*, who handles the matters of heaven, as well as most of our modern *Tithe-takers*.

Agreeably to this civil and charitable judgment, does the ſmooth and ingenious pen of *Mercurius Politicus* in his ſtating the originall cauſe of our late troubles, clearly acquit the Papiſts (Num. 67. page 1061.) where (turning the ſtream into the right channell) he begins; IN NOMINE DOMINI INCIPIT OMNE MALUM; *All our evills have been derived from the corruption of the Clergy, the firſt war may truly be called* BELLUM EPISCOPALE, *the two laſt as truly* BELLA PRESBYTERIALIA; neither of the three being capable of the name of BELLUM PAPALE; Papiſts indeed were often mentioned in our printed papers, but they that know any thing, know to what end.

But to recover this digreſſion, beſides the ſharpneſſe of this ſentence, the very tryall of this Seminary, (as I am informed) had many ſingular and unuſuall paſſages, as that nothing was proved againſt the Priſoner, but that a great many years ago he had ſaid *Maſſe* in *Flanders*, and this only by one witneſſe, and one who in open Seſſions profeſt a particular *pique* and quarrell towards him, alledging an old grudge as one of the reaſons why he came up out of the Countrey to ſwear againſt him, no diſturbance of the publique repoſe, nor ſo much as the leaſt breach of peace laid to his charge, but only his being a *Prieſt*, and in England.

And that this was his only crime, is unqueſtionably clear by the *Miniſters* charitable offer at the *Gallows*; that *there was yet time enough for him to ſave his life, if he would renounce his Religion, and become a Proteſtant*; which he reſolutely denying, as againſt his conſcience, was firſt hanged among the theeves and murderers, and then quartered as a *Traytor*; and yet both Sheriff, Jury, Judge, and every one that cooperated to the execution, all ſeriouſly profeſſe, that nothing is ſo dear to them, nothing ſo reaſonable in it ſelf, as incoercency in matters concerning the ſalvation of our ſouls. I pray God we be not too guilty *of having a form of godlineſſe, but denying the power thereof.* I pray God theſe ſevere and ungoſpellary proceedings, (eſpecially this laſt of bloud, ſo diſpleaſing to the Spectators and unprofitable to the Authours) become not in time a prejudice to our Brethren beyond the Seas, a diſcontenting of our friends at home, and a ſcandall to all the world, for that very day of the Prieſts execution I o'reheard a nimble witted man, but I fear too capricious and Atheiſticall, ſay theſe words; *Since we are come to this paſſe that we can fight againſt the Covenant for Reformation of the Kirk, ſequeſter men for Recuſants, and continue their Sequeſtrations, whether they continue their Recuſancy or no, make a cloſe peace with Spain, and openly hang up Jeſuits,* SIT ANIMA MEA CUM PHILOSOPHIS.

At which hard meaſure towards a poor man meerly upon the account of Religion, even many well affected have taken great exception, eſpecially comparing his caſe and Mr. *Loves* with the difference of their puniſhments, the one accuſed, tryed and condemn'd for matters purely temporall, and of the higheſt nature againſt the State, of which he acknowledged himſelf guilty in ſeverall Petitions to the Parliament under his own hand; the other, ſo far from being condemn'd for any ſuch guilt, that he had no ſuch charge, and yet the one was honor'd with the noble death of the Axe and Scaffold, whilſt the other was drag'd upon a hurdle, and hang'd amongſt thieves and felons at Tyburn.

Surely it were far better for a while to let the Papiſts practiſe their kind of Chriſtianity, then upon a ſuddain deprive them of the only Religion to which they are accuſtomed, and ſo indanger the driving of them to *Atheiſme*, inſtead of reducing them to *Proteſtancy*.

Beſides how eaſily may the like ſeverity be exerciſed amongſt our ſelves, if any Power diſ-affected to godlineſſe ſhould gain authority over us? it is but ſtraining the word *Recuſant* a little above the common note, it is but making our pious meetings, Conventicles,

tickes, and our holy conferences, Treason by Statute, and then all the precious Saints and deareſt ſervants of the Lord, may be hang'd, drawn and quartered by Law, and and yet at the ſame time our Executioners may profeſſe (as ſeriouſly as we now ſeem to do) Liberty of Conſcience, only they will think it reaſonable to be their own interpreters, and conſequently intend by this charming ſound of Liberty, an abſolute and uncontroulable freedome indeed, but to be enjoyed by none, but themſelves.

How do the Papiſts themſelves in *France* outgo us in their tender and moderate behaviour towards the Proteſtants of their Countrey, notwithſtanding former provocations to jealouſie in the late civill warrs? nay notwithſtanding preſent provocations by our ſeverity againſt all of their profeſſion in *England*, they diſpute openly and frequently together, not only the Clergy, but tradeſmen one with another: at many of which conferences I have been preſent in *Paris*, where every one freely defended his own Opinion, ſo civilly and peaceably, that I never returned from the place of thoſe diſcourſes, without exceeding comfort and ſatisfaction, thinking often with my ſelf, it were a faſhion as worthy to be tranſported into *England*, as any our gallants bring from thence.

At the end of the Diſpute, (which is not upon any ſolemn challenge, but caſuall, though very often) if either party ſeem unſatisfied, his liberty is inviolably preſerved, without ſeizing upon a penny of his eſtate (which there is accounted but a politique covetouſneſſe) or touching ſo much as a hair of his head, (not to ſpeak of ſpilling his bloud for a different Opinion) which they deteſt as a moſt abominable cruelty, but with a courteous friendlineſſe and mutuall compaſſion, part in as perfect charity as they met, each hoping and praying for the others converſion: in the mean while the King allows a certain number of publike Churches to *Proteſtants*, and as much liberty in private for the exerciſe of their conſciences, as any diſagreers from the common belief of the State can reaſonably deſire.

Nay, even the Spaniſh Inquiſition (ſo univerſally abhor'd) practiſes all imaginable means towards the accuſed, to reduce his judgment to theirs, before they pronounce theirs againſt him, and upon conformity immediately acquit him, whereas our conſcience-ſequeſtrations are laid on, without any diſputing, and hardly taken off, upon never ſo much conforming; to which purpoſe I can here alledge the examples of divers Papiſts by name, who have not only gone to *Church*, but taken both the *Communion* and Oath of *Abjuration*, and all this undeniably proved by ſufficient Teſtimony, yet after ſolemn debate upon their Petitions in *Haberdaſhers Hall* to be no longer puniſht, ſince they were no longer guilty, the Commiſſioners declared, *that it was not expreſs'd in any Act or inſtructions from the preſent Parliament, what ſhould amounts unto, or be adjudged by them to be a Conformity*; and therefore the *Sequeſtration* (ſaid they) *muſt be continued*, however the cauſe of Sequeſtration may be ceaſed.

In particular, on Wedneſday the ſecond of *July* 1650. It was the caſe of one *Smith* a ſuſpected Papiſt, who had Lands in the *Soke* of *Winchester* ſequeſtred; upon his appeal at *Haberdaſhers* Hall, he produced ſufficient proof that he had been ſeverall Lords daies at Church, and had twice taken the Oath of *Abjuration*, but one of the *Commiſſioners* made anſwer that this was not enough, he muſt alſo receive the *Communion*, otherwiſe muſt continue ſequeſtred as a Papiſt: whereto *Smiths* Councell replied, *That if it were a mark of Papiſts not to have received the Communion, we are (ſaith he) all Papiſts in our Pariſh; for we have had no Communion in our Church theſe fourteen years.* And 'tis very probable that that very *Commiſſioner* who made this objection, hath not of late received the *Communion*, as is prebſcribed by the Statute; nor perhaps will the eſtabliſhe legall way of communicating agree with his conſcience, and certainly it is a very ſad caſe

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for us to force others, under so great a penalty, as the sequestration of their estates, to do that which we will not do our selves: All the relief and hope, that *Smith* and others in his condition (who have both gone to Church, and taken the *Communion* and Oath of *Abjuration*) have received at the said Hall, is, that the Commissioners have promised to move the Parliament, to know *what shall amount to a conformity*, and it might also be desired to know what Religion the Papists (in case they be forc'd to leave their own) shall conform unto; since we have three severall Religions, that at present seem to contend for superiority of influence upon the hearts of the people; the Prelaticall or old *Protestant* (as some stile it) is established by Law; the *Presbyterian* carries the vogue in the pulpit, but that called *Independent* has the power and countenance of the State; of which three, though (for my own particular) I clearly prefer the last, yet know I not any Law that obliges me to the publike profession of any of them all, but only not to be a *Papist*.

Truly these strange proceedings will (I fear) be lookt upon both by all the *Reformed Churches* abroad, and very many *conscientious people* at home, as favouring of a designe to make sure of the *Papists* estates, whatsoever becoms of their souls.

These things have I heard some *Presbyterians* with triumph object against us, though themselves first invented the *abjuring Oath* on purpose to pinch the *Papist*, yet they alledge in their excuse, that it was intended only for time of war, when all other waies either of convincing by reasons, or convicting by Law, were obstructed.

Besides, the *Presbyterians* pretend their great care of the Gospell, having taken so much pains, and spent so much time in the contrivance of a new and large *Confession of Faith*, to which all indispensably should have been bound to subscribe; we negligently (say they) leave every one to carve for himself what portion he pleases out of the *Bible*; they though rigorous, yet followed their principles; we rigorous, against our principles, continuing still both the same security of punishing the *Papists* for Religion, and the same unusuall way of compelling them upon meer suspition, either to forswear themselves by taking the *Oath*, or condemn themselves by refusing it.

And all this while we hold forth meekness, and all this while we cry up *Liberty of Conscience*; is it possible we should so far forget our principles, as to seize the estates of our neighbours and kindred for Religion, and at the same time professe to venture all our own to purchase freedom of Rligion? Is it possible we should expose our own lives in so long and dangerous a war, to establish and secure *Liberty of Conscience*, and at the same instant of time, hang, draw, and quarter men for their consciences? How shall we answer at the day of judgment our shedding so much bloud to deliver our Country from coercency in matters of belief, if, as soon as the power is in our hands, we embrue them in the bloud of our Countrimen meerly for their Religion? Have we so soon forgot those sharp reproofs of the Apostle, Rom. 2. *Behold you are called Jews and rest in the Law, and make your boast of God, you know his will, and approve the things that are more excellent, you are confident that your selves are guides of the blinde, and lights to them which are in darkness, instructers of the foolish, and teachers of babes, who have the form of knowledg and of truth in the Law; you therefore, who teach another, teach you not your selves? you that preach a man should not steale, do you steale? you that abhor idolls, do you commit sacriledge? In the day when God shall judge the secrets of men by Jesus Christ*, how shall we answer that excellent and self-evident precept of nature, *Do as you would be done unto?* God is not mocked, he promises indeed, that *the meek shall inherit the land*, but surely means not such as seem *meek* onely to inherit the land.

Thus sharply went on my angry *Presbyterian*; and I confesse I was extremely asha-

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med to hear him say so much reason, that used to speak nothing but passion; and to see my self so confounded by one, that I have alwaies overcome with ease upon any other subject, and should have liked far better his observations (which with grief I acknowledg to be too true and open to all the world) if they had come from an indifferent and unfactious spirit, because I suspect they may perhaps proceed rather from envie towards the gainers, then pitie upon the losers: For during the violent, and therefore short, dominion of the *Presbyterians*, never were more cruell torturers of the *Conscience* then they, never a more tyrannicall Tribunall then their *Jure-divino Assembly*, and classicall High Commission; but the hand of the Lord stopt them in their full career, and by woefull experience they now find the truth of Gods threatnings, *If you bite and devoure one another, take heed you be not consumed one of another*, Gal. 5. 15.

Wherefore it shall be my daily praier to our great and good God, that he would graciously inspire his servants, who now sit at the helm, to prevent the like heavie judgments upon themselves; and seriously considering that both their allegiance to reason, their duty to God, their Ingagement to their own principles, call so loudly upon them, they would *fulfill now our joy*, and complete the good work so happily begun, by putting the tender-conscienced and peaceable-minded people of this Nation into a condition of perfect security for matters of Religion, wich cannot be effected without a generall Act of conscience-indemnity, firmly to be establisht as a fundamentall and unalterable Law of the Land, for all that professe the Gospell of Christ.

FINIS.

Postscript.

SInce there is scarce one whom somthing in these few sheets will not please, nor very many whom somthing will not displease, they therefore humbly and freely submit themselves, not only to the judgment of the civill Magistrate, but of every civill man; and I have (according to the Order of Parliament) hereunto subscribed my name,

VVilliam Birchley.

Errata.

PAg. 16. line 1. read Countreys *peace.* p. 21. l. 43. r. thus, increaſe, *we overvalue their Religion, if we doubt their diſturbing us*, we undervalue. p. 36. l. 25. r. *ſeverity.*

THe Reader may pleaſe to take notice, that there is an adulterate and imperfect Copie of this *Moderator* abroad; and that this hath ſome alterations, but many additions, being perfected and printed by the Authors own papers and appointment, to prevent the abuſe.